



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION**

LAMARCUS T. WILLIAMSON, )  
 )  
vs. ) CIVIL ACTION NO. 1:20-2505-MGL-SVH  
 )  
MICHAEL STEPHAN, HEAD NURSE MS. )  
OLDS, and UNIT MANAGER PAUL DENNIS,) )  
Defendants. )

---

---

**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
AND GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT  
AS TO PLAINTIFF'S FEDERAL CLAIMS**

---

---

Plaintiff Lamarcus T. Williamson (Williamson) filed this lawsuit pursuant to 42 U.S.C. §1983 against Defendants Michael Stephan, Head Nurse Ms. Olds, and Unit Manager Paul Dennis (collectively, Defendants). Williamson alleges violations of his Eighth Amendment rights as an inmate in the South Carolina Department of Corrections. He is self represented.

The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting to the Court Defendants' motion for summary judgment be granted. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may

accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on January 26, 2021, and the Clerk of Court entered Williamson's objections on February 18, 2021. The Court has reviewed the objections, but holds them to be without merit. It will therefore enter judgment accordingly.

The Court need not conduct a de novo review of the record when, as here, "a party makes general and conclusory objections that do not direct the [C]ourt to a specific error in the [Magistrate Judge's] proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). The Court, instead, reviews the Report only for clear error in the absence of specific objections. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir.2005) (stating that "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record to accept the recommendation.") (citation omitted).

Consequently, because Williamson neglects to make any specific objections to the Report, and the Court has found no clear error, it need not make a de novo review of the record before overruling Williamson's objections concerning his Eighth Amendment claims and accepting the Magistrate Judge's recommendation to grant summary judgment on them.

Further, inasmuch as the Magistrate Judge warned Williamson of the consequences of failing to file specific objections, Report at 25, he has waived appellate review on this issue. *See Howard v. Sec'y of Health & Human Servs.*, 932 F.2d 505, 508-09 (6th Cir. 1991) (holding general objections are insufficient to preserve appellate review).

After a thorough review of the Report and the record in this case pursuant to the standards set forth above, the Court overrules Williamson's objections, adopts the Report to the extent it does not contradict this Order, and incorporates it herein. Therefore, it is the judgment of this Court Defendants' motion for summary judgment as to Williamson's federal claims is **GRANTED**. Those claims are **DISMISSED WITH PREJUDICE**. To the extent Williamson has raised any state claims, however, those claims are **DISMISSED WITHOUT PREJUDICE** so that he can file them in state court if he wishes to do so.

**IT IS SO ORDERED.**

Signed this 3rd day of March, 2021, in Columbia, South Carolina.

-  
s/ Mary Geiger Lewis  
\_\_\_\_\_  
MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE

\*\*\*\*\*

**NOTICE OF RIGHT TO APPEAL**

Williamson is hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to the Federal Rules of Appellate Procedure.